

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ACCELERATE LEARNING INC.,)	
)	
)	
Plaintiff,)	
)	Civil Action No. 4:16-cv-02665
v.)	
)	
RENAISSANCE LEARNING, INC.,)	
)	
Defendant.)	

AGREED MOTION TO DISMISS WITH PREJUDICE

Plaintiff/Counterclaim-Defendant Accelerate Learning Inc. (“Accelerate Learning”) and Defendant/Counterclaim-Plaintiff Renaissance Learning, Inc. (“Renaissance Learning”) hereby inform the Court that they have resolved the dispute between them. Accordingly, Accelerate Learning and Renaissance Learning each hereby move to dismiss with prejudice all claims asserted against the other party in this action.

The parties stipulate that each party will bear its own costs and attorneys’ fees relating to this matter.

Dated: January 9, 2017

Respectfully Submitted,

HAYNES AND BOONE, LLP

MERCHANT & GOULD P.C.

/s/Donald D. Jackson
Donald D. Jackson
Texas Bar No. 00787753
Mini Kapoor
Texas Bar No. 24080969
Haynes and Boone, LLP
1221 McKinney Street, Suite 2100

/s/David L. Terrell
Scott W. Johnston (admitted *pro hac vice*)
Danielle I. Mattessich (admitted *pro hac vice*)
Attorneys-in-charge
Merchant & Gould P.C.
80 South Eighth Street, Suite 3200
Minneapolis, Minnesota 55402

Houston, Texas 77010
Telephone: 713-547-2026
Telecopier: 713-236-5645
donald.jackson@haynesboone.com
mini.kapoor@haynesboone.com

David Bell
Texas Bar No. 24036209
Haynes and Boone, LLP
2323 Victory Ave., Suite 700
Dallas, Texas 75219
Telephone: 214-651-5248
Telecopier: 214-200-0822
david.bell@haynesboone.com

**ATTORNEYS FOR ACCELERATE
LEARNING INC.**

Tel: (612) 332-5300
Fax: (612) 332-9081
sjohnston@merchantgould.com

Bob McAughan
David Terrell, Texas Bar No. 24063030
Sutton McAughan Deaver PLLC
3 Riverway, Suite 900
Houston, TX 77056
Phone: (713) 800-5702
Fax: (713) 800-5699
bmcaughan@SMD-IPLaw.com
dterrell@smd-iplaw.com

**ATTORNEYS FOR RENAISSANCE
LEARNING, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of January, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/David L. Terrell